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December 2, 2022

BY ECF

District Judge Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Benjamin Pagano et al. v. HN & Sons LLC et al., 22-cv-4897(BMC)

Dear Judge Cogan,

This firm represents Plaintiffs in this Fair Labor Standards Act (“FLSA”), Article 6 of the New York Labor Law (“NYLL”), and NYLL § 740 retaliation action. Pursuant to the Court’s Order during the November 22, 2022 Initial Conference, Plaintiffs hereby notify the Court of their voluntary withdrawal of the NYLL § 195(3) Claim (Fifth Cause of Action) and NYLL § 740 Claim (Sixth Cause of Action) without prejudice and with the right to refile these claims in New York State Court within the applicable statute of limitations period. Please let Plaintiffs know if the Court should require anything additional to effectuate this withdrawal.

We thank the Court for its continued time and attention to this matter.

Respectfully Submitted,



William Li